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purposes only**



Legally Binding Mediation Agreement Form

 √ Preappeal Conference (Mediation with no hearing request)

 Mediation (hearing request)

DE assigned number: PRE 155

Name of student: Steve Douglas Date of mediation 10/2/05
(First and last)

Resident district Mitles Community School District Attending district Same

Area Education Agency 000 Location of mediation Administrative Board Office

Other parties named (other than district/s or AEA/s)

Names and roles of people attending

Resolution Section

Description of action to resolve issue identified	Person or agency responsible to initiate and complete an action	Timeline for action
1. <u>The AEA will conduct a comprehensive educational evaluation and will examine ability levels, academic potential, learning strengths and weaknesses, and memory difficulties and strengths and make recommendations for implications for teaching and career.</u>	<u>Mary Smith, AEA sector supervisor</u>	<u>Starting date: 2nd week in Oct.</u> <u>Completed by 2nd wk in Dec.</u>

<p>Did the parties designate how long this action is to occur?</p> <p><input type="checkbox"/> Not appropriate.</p> <p><input checked="" type="checkbox"/> Yes: Starting date <u>2nd wk in Oct.</u></p> <p>Ending date <u>2nd week in Dec.</u></p> <p>What has to happen so that parties know this part of the agreement has been met? Describe. <u>Upon completion of the evaluation and the specific requirements of the evaluation done, this part of the agreement will be considered fulfilled.</u></p>		
<p>2. <u>Upon completion of the comprehensive educational evaluation a copy of the results will be mailed to the home of the parent.</u></p> <p>Did the parties designate how long this action is to occur?</p> <p><input type="checkbox"/> Not appropriate.</p> <p><input checked="" type="checkbox"/> Yes: Starting date <u>Mailed Dec. 5-9 (2nd wk of Dec.)</u></p> <p>Ending date <u>2nd wk of Dec.</u></p> <p>What has to happen so that parties know this part of the agreement has been met? Describe. <u>After the results of the evaluation have been mailed and the parents receive it, this part of the agreement will be considered fulfilled.</u></p>	<p><u>Mary Smith, AEA sector supervisor</u></p>	<p><u>2nd wk of Dec. (5-9)</u></p>
<p>3. <u>An IEP meeting will be held at 10:00 a.m. at the principal's office. Meeting notice will be sent to the parents at least 10 calendar days before the IEP meeting, informing them of participants.</u></p> <p>Did the parties designate how long this action is to occur?</p> <p><input type="checkbox"/> Not appropriate.</p> <p><input checked="" type="checkbox"/> Yes: Starting date <u>12/16/05</u></p> <p>Ending date <u>12/16/05, unless both parties consent to breaking the meeting into two sessions should more time be needed to complete the IEP meeting.</u></p> <p>What has to happen so that parties know this part of the agreement has been met? Describe. <u>This part of the agreement will be considered fulfilled if the meeting was held and parties attempted to reach consensus.</u></p>	<p><u>Jeff Woodey, LEA special education teacher</u></p>	<p><u>IEP meeting held on 12/16/05 (unless two sessions are required)</u></p> <p><u>Meeting notice sent by 12/06/05</u></p>

<p>4. <u>The IEP team will meet again to review whether the IEP plan is providing positive outcomes for Steve. This is assuming parties reached agreement on an IEP on 12/16/05 (or after should two meetings be required).</u></p> <p>Did the parties designate how long this action is to occur?</p> <p><input type="checkbox"/> Not appropriate.</p> <p><input checked="" type="checkbox"/> Yes: Starting date <u>January 2006</u></p> <p>Ending date <u>March 2006</u></p> <p>What has to happen so that parties know this part of the agreement has been met? Describe. <u>This part of the agreement will be considered fulfilled if Ms. Epson contacts the designated parties once during January, February and March 2006.</u></p>	<p><u>Jeff Woodey, LEA special education teacher</u></p>	<p><u>First part of April 2006</u></p>
<p>5. <u>Michelle Epson, the "shepherd" of the agreement will contact the parents, the principal, and the special education teacher (Jeff) once a month to determine whether refinements or "next steps" are needed.</u></p> <p>Did the parties designate how long this action is to occur?</p> <p><input type="checkbox"/> Not appropriate.</p> <p><input checked="" type="checkbox"/> Yes: Starting date <u>January 2006</u></p> <p>Ending date <u>March 2006</u></p> <p>What has to happen so that parties know this part of the agreement has been met? Describe <u>This part of the agreement will be considered fulfilled if Ms. Epson contacts the designated parties once during January, February and March 2006.</u></p>	<p><u>Michelle Epson, AEA school social worker</u></p>	<p><u>January, February, March (2006)</u></p>
6.		
7.		
8.		
9.		
(More can be added)		

Shepherd: The person all parties identified as responsible to (a) coordinate the implementation of the entire agreement and (b) serve as the point of contact for all parties. Michelle Epson

Contingency Plan: Is a contingency plan needed for any part of the agreement because of something that has the potential to be outside the control of any party in the dispute? (Please include the name of a specific person who may be included during any part of the agreement.)

☒ No ☐ Yes

If yes, describe the plan:

When should the Iowa Department of Education officially dismiss the mediation (applicable only if a hearing has NOT been requested prior to the mediation)? Whenever the Department receives a copy of the final legally binding agreement.

Next Steps

1. When a final agreement becomes available, the mediator will send or e-mail the written agreement to all parties, with separate signature pages for each party from whom signatures are required.
2. The mediator will request that the parent/s and a representative of the LEA and AEA (who has the authority to bind such agency) sign the final agreement and mail the signature sheet to the mediator via U.S. mail within three business days of receipt of the final agreement.
3. The mediator will copy the final agreement and signature pages and send copies to all parties attending the mediation and to the Department of Education.
4. Not applicable for preappeal conference request: The parent will inform the Iowa Department of Education who will inform the administrative law judge of the status of the hearing request.

Mandated Signatures for Legally Binding Written Agreement (to be completed after the agreement is finalized)

The undersigned parties agree:

1. All discussions that occurred in mediation are confidential and may not be used as evidence in any subsequent due process hearing or civil proceeding.
2. This is a legally binding agreement enforceable in any state court of competent jurisdiction or in a district court of the United States.
3. This agreement is in force for the duration of the current school year or for the period indicated under each agreement item unless changed by the IEP team or by mutual written consent of the parties.
4. _____ is the shepherd of this agreement. As such she/he is the persons others may contact with questions or concerns about the agreement's implementation.

Print and Sign (Parent/s)

Date

Print and Sign (Designated representative of LEA) Date

Print and Sign (Designated representative of AEA) Date